IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kaplan Serial No.: 10/613,772

Group No.: 2633 Examiner: Not assigned

Falad: 07/02/2003

For:\Electro-optical integrated transmitter chip for arbitrary quadrature modulation of optical signals

Mail Stop Missing Parts Commissioner for Patents P.D. Box 1450 Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 09/30/2003. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

POWER OF ATTORNEY

III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

SMALL ENTITY STATUS

IV. Applicant claims small entity status. See 37 CFR 1.27.

COMPLETION FEES

1.	Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$385
	Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$441
3.	Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$43
4.	Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$65
	Assignment (See "ASSIGNMENT COVER SHEET")	<u>\$40</u>
6.	Total completion fees	\$974

EXTENSION OF TIME

V. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due: \$0

REQUEST FOR CORRECTED FILING RECEIPT

VI. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Erro	or in	Correct data
1.	Applicant name and/or addresses	 Arkady Kaplan, Rockville, MD Yaakov Achiam, Rockville, MD Arthur Greenblatt, Silver Spring, MD Isaac Shpantzer, Bethesda, MD
2.	Entity status	 Pak Shing Cho, Gaithersburg, MD Michael Tseytlin, Bethesda, MD Aviv Salamon, Washington, D.C. small entity

TOTAL FEE DUE

VII. The total fee due is: Completion fees \$974

Corrected Filing Receipt Fees \$25

TOTAL FEE DUE \$999

PAYMENT OF FEE

VIII. Charge Account No. 08-1641 (39878-0021) in the amount of \$999.

Please charge Account No. 08-1641 (39878-0021) for any fees that may be due by this paper.

Paul Davis, Reg. No. 29,294

CERTIFICATE OF EXPRESS MAILING

Heller Ehrman White & McAuliffe LLP 275 Middlefield Road Menlo Park, CA 94025 (650) 324-7000 Customer No. 25213

hereby certify that this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressed" service under 37 C.F.R. §1.10 on the date dicated below addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Majl Label: EL 99.3 684 89.34S
Date* Signed: 3.0003

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Office Contact Harrison.			
POECLARATI	ION FO	R UTILITY	OR
· _\	DESIG	N	
PATEN	T APPL	LICATION	
$\frac{\partial u}{\partial x} = \frac{\partial u}{\partial x} = $	7 CFR 1	1.63)	
Declaration	\boxtimes	Declaration	*

Submitted with Initial Filing

OR

Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

	<u> </u>				
	Attorney Docket Number	39878-0021			
First Named Inventor		KAPLAN			
	COMPLE	TE IF KNOWN	_		
	Application Number	10/613,772	_		
	Filing Date	07/02/2003			
Group Art Unit		not assigned			
Examiner Name		not assigned			

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTRO-OPTICAL INTEGRATED TRANSMITTER CHIP FOR ARBITRARY QUADRATURE MODULATION OF OPTICAL SIGNALS									
(Title of the Invention)									
the specification of which is attached hereto OR		<u> </u>	•	•					
was filed on (MM/DD/YYYY) 07/02/2003 as United States Application Number or PCT International									
Application Number 10/613,772 and was amended on (MM/DD/YYYY) n/a (if applicable).									
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.									
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or _365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.									
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Prior Not Cla		Certified Cop YES	by Attached? NO			
			· 🗖			َ ت			
					.				
☐ Additional foreign applic	ation numbers a	re listed on a supplementa	I priority data sh	eet PTO/SB/0	28 attached here	to:			
I hereby claim the benefit ur		19(h) of any United States	provisional app						
Application Number	r(s)	Filing Date (MM/DD/	/YYYY)						
60/392,938		07/02/2002		numb suppl	ional provisional a pers are listed on emental priority d SB/028 attached	a ata sheet			

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

THE TRANSIS

PTO/SB/01 (12-97)

Approved for use through 9/30/00.OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Mereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number						t Filing Date /DD/YYYY)	Pa		atent Number oplicable)	
09/962,243		09	9/26/2001							
09/962,339					09	9/26/2001				
10/084,057	-				02	2/28/2002				
·										
Additional U.S. or PCT	Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.									
As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 25213 Place Customer Number Bar										
OR Registered practitioner(s) name/registration number listed below										
Registration Registration Registration										
Name		Num	ber	<u> </u>		Name			Number	
			•							
,			-							
			,			•				
Additional registered pr	actitioner(s) named	on suppleme	ntal Registe	red Practiti	oner Inf	ormation sheet P	TO/SB/02	C attacl	ned hereto.	
Direct all correspondence	Direct all correspondence to: ☐ Customer Number or Bar Code Label 25213 OR ☐ Correspondence address below									
Name						<u>:</u>				
Address										
Address										
City				State		ZIP				
Country		Telephone				Fax				
I hereby declare that all state believed to be true; and fur punishable by fine or impring application or any patent issues.	rther that these sta sonment, or both,	atements were	made with	the knowle	edge tha	at willful false sta	tements a	and the	like so made are	
Name of Sole or Fir	st Inventor:			A petition	has b	een filed for thi	s unsign	ed inv	entor	
Given Name	(first and middle	e (if any)				Family Name	or Surn	ame		
	Arkady					KAP	LAN			
Inventor's Signature	(D				·	Date		8/8/03	
Residence: City	Rockville	State	MD	Cou	intry	US	Citizer	ship	IL	
Post Office Address	243 Congressi	ional Lane								
Post Office Address									· · · · · · · · · · · · · · · · · · ·	
City	Rockville	State	MD	ZIP		20852	Count		us	
Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:										

PTO/SB/02A (3-97) Approved for use through 9/30/98,OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplem ntal Sheet
Page 1 of 2

·										
Name of Additional Joint Inventor, if any:			A petition has been filed for this unsigned inventor							
Given Name	(first and middle (if	any)		Family Name or Surname						
	Yaakov						ACH	IAM		
Inventor's Signature	Y.Ac	1		Date 8/8/					18/03	
Residence: City	/ Rockville	State	· MI)	Country	บร	3	Citizensh	nip	IL
Post Office Address 301 Congressional Lane										
Post Office Address										
City	Rockville	State	MD		ZIP	2085	2	Country		US
Name of Additional Joint Inventor, if any:				A petition has been filed for this unsigned inventor						
Given Name	(first and middle (if	any)	Family Name or Surname							
Arthur				A GREENBLATT						
Inventor's Signature	Thefun	Man	lla	H	>			Date	2	8(8(23
City	Silver Spring	State	М	D	Country	US	3	Citizensi	nip	us
Post Office Address	8912 Fairview Ro	ad				· · · · · · · · · · · · · · · · · · ·				
Post Office Address		.				, <u></u>	<u> </u>			
City	Silver Spring	State	M	D	ZIP	2091	0	Country		us
Name of Additional	Joint Inventor,	if any:	☐ A petition has been filed for this unsigned inventor							
Given Name	(first and middle (if	f any)	Family Name or Surname							
	Isaac		SHPANTZER							
Inventor's Signature	Sym	40	<u> </u>	Date 7/9				8/8/22		
City	Bethesda	State	М	D	Country	U:	S	Citizens	hip	US
Post Office Address	8312 Rising Ridg	е								
Post Office Address					· · · · · · · · · · · · · · · · · · ·					·
City	Bethesda	State	М	D	ZIP	2081	7	Country		us

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 2 of 2

Name of Additional Joint Inventor, if any:				A petition has been filed for this unsigned inventor							
Given Name	(first and middle (i	f any)		Family Name or Surname							
	Pak Shing				,	CI	10				
Inventor's Signature	The.	Sh	T	h	? ?		Date	81	8/03		
Residence: City	Gaithersburg	State	М	MD Country US			Citizensh	ip	us		
Post Office Address 24 Spring Street											
Post Office Address											
City	Gaithersburg	State	M		ZIP	20877	Country		US		
Name of Additional	Joint Inventor,	if any:		☐ A petition has been filed for this unsigned inventor							
Given Name	(first and middle (i	f any)		Family Name or Surname							
	Michael			TSEYTLIN							
Inventor's Signature	< V			Date 8/11/2					111/2		
City	Bethesda	State	M		Country	US	Citizensh	ip	IL		
Post Office Address	5705 Radnor Cou	ırt									
Post Office Address		т	·		,		T				
City	Bethesda	State	M)	ZIP	20817	Country		. us		
Name of Additional	Joint Inventor,	if any:	A petition has been filed for this unsigned inventor								
Given Name	(first and middle (i	f any)	Family Name or Surname								
Given Name	Aviv		SALAMON								
Inventor's Signature			M			Date	රි	111/03			
City	Washington	State	DC	DC Country US		us	Citizenship IL		IL		
Post Office Address	1722 19 th Street,	N.W., Apt. 8	303			-1					
Post Office Address	Post Office Address										
City	Washington	State	DO	2	ZIP	us	Country		บร		

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POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

The undersigned ASSIGNEE of the entire interest in:										
	 U.S. Patent No. ✓ U.S. application no. 10/613,772, filed on 07/02/2003 									
hereby appoints the practitioners at Customer Number 25213 as its attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. §3.71.										
The following evidentiary documents establish a chain of title from the original owner to the Assignee:										
(complete one of the following)										
\boxtimes	a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or									
	the Assignm	ent recorded	on at reel,	frames _	<u></u>					
Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.										
Direct all con	respondence and	telephone cal	ls to:							
Name	Paul Davis									
Address	Heller Ehrman	White & McA	Auliffe LLP							
Address	275 Middlefield	l Road		,	· · · · · · · · · · · · · · · · · · ·					
City	Menlo Park	State	CA	Zip	94025	Customer No.: 25213				
Country	USA	Telephone	(650) 324-7000		Fax	(650) 324-0638				
			A	ASSIGNI	EE: CELIGHT,	INC.				
	:	٠.		Name: _	8/12/	<u>ll</u>				
			Ţ	Date:	8/12/	20-3				

PTO/SB/15 (8-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE vork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Whereas, the undersigned: Arkady Kaplan Rockville, MD Roc								
Arkady Kaplan Rockville, MD Ro								
hereinafter termed "Inventors", have invented certain new and useful improvements in ELECTRO-OPTICAL INTEGRATED TRANSMITTER CHIP FOR ARBITRARY QUADRATURE MODULATION OF OPTICAL SIGNS for which an application for United States Patent was filed on _07/02/2003_, Application No10/613,772_ WHEREAS, CeLight, Inc, a corporation having a place of business at 1220 Tech Road, Silver Spring, MD 20904_, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries. NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee: 1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the								
ELECTRO-OPTICAL INTEGRATED TRANSMITTER CHIP FOR ARBITRARY QUADRATURE MODULATION OF OPTICAL SIGNS for which an application for United States Patent was filed on 07/02/2003, Application No. 10/613,772 WHEREAS, CeLight, Inc, a corporation having a place of business at 1220 Tech Road, Silver Spring, MD 20904, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries. NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee: 1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the								
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application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the								
United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.								
2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.								
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.								
4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.								
IN WITNESS WHEREOF, said Inventors have executed and delivered this instrument to said Assignee as of the dates written below:								
Date: 8/8/03								
Date: Arkady Kaplan								
Date: 8/5/03								
Date: 8 8 8 3 Arthur Greenblage								
Date:								
Date: 8/8/03 Isaac Shpantzer								
Date: 8/8/03								
Michael Tseytlin								

Aviv Salamon

FORM PTO-1595 NOV 1 8 2003

RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

का विकास	To the Commissioner of Detents and Trademarks: Di-	ease record the attached original documents or converteeof						
1. Add	To the Commissioner of Patents and Trademarks: Ple Name of conveying party(ies): Arkady Kaplan, Yaakov Achiam, Arthur Greenblatt, Isaac Shpantzer, Pak Shing Cho, Michael Tseylin, Aviv Salamon ditional name(s) of conveying party(ies) attached? Yes No Nature of conveyance: Assignment Merger Security Agreement Change of Name Other	2. Name and address of receiving party(ies): Name: CeLight, Inc. Street Address: 1220 Tech Road City/State/Zip: Silver Spring, MD 20904 Additional name(s) & address(es) attached? Yes No						
Exe	ecution Date: 08/08/2003, 08/11/2003							
4.	Application number(s) or patent number(s): 10/613,772							
If tl	his document is being filed together with a new application	, the execution date of the application is:						
	A. Patent Application No.(s): 10/613,772	B. Patent No.(s):						
	Additional numbers attached? Yes No							
5.	Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and patents involved: [1]						
	Name: Paul Davis Internal Address: Heller Ehrman White & McAuliffe LLP 275 Middlefield Road Menlo Park, CA 94025-3506	7. Total fee (37 CFR 3.41)						
	DO NOT USE THIS SPACE							
9.	Statement and signature. To the best of my knowledge and belief, the foregoing information the original document. Paul Davis	formation is true and correct and any attached copy is a true copy of						
	Name of Person Signing	Signature Date						
	Total nur	mber of pages including cover sheet, attachments, and document: [2]						

			of information unless it displays a valid OMB control number Docket Number 39878-0021						
·	ASSIGNMENT OF APPLICAT	ION	Docket Number 398 /8-0021						
Whereas, the undersigned: Arkady Kaplan Rockville, MD	Yaakov Achiam Rockville, MD	Arthur Green Silver Spring	•						
Pak Shing Cho Gaithersburg, MD	Michael Tseytlin Bethesda, MD	Aviv Salamo Washington,							
hereinafter termed "Inventors"	, have invented certain new and use	ful improvements in							
ELECTRO-OPTICAL IN	TEGRATED TRANSMITTER CH	P FOR ARBITRARY QUA	DRATURE MODULATION OF OPTICAL SIGNS						
for which an application for U	nited States Patent was filed on 0	<u>//02/2003</u> , Application No	10/613.772						
"Assignee"), is desirous of accembodiments of the invention	quiring the entire right, title and into , heretofore conceived, made or dis o any and all patents, inventor's cer	rest in and to said application	er Spring, MD 20904, (hereinafter termed on and the invention disclosed therein, and in and to all by said Inventors (all collectively hereinafter termed protection (hereinafter termed "patents") thereon						
NOW, THEREFORE, in cons Assignee:	ideration of good and valuable cons	ideration acknowledged by	said Inventors to have been received in full from said						
application and said invention Protection of Industrial Prope United States or any foreign c	application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of								
include prompt production of papers, and other assistance a interest herein conveyed; (b) applications covering said inv priority proceedings involving granted thereon, including wi	pertinent facts and documents, givill to the extent deemed necessary or for prosecuting any of said application; (d) for filing and prosecuting said invention; and (f) for legal prothout limitation reissues and reexangement actions and court actions; p	ng of testimony, execution of desirable by said Assignee ons; (c) for filing and prosed g applications for reissuance occedings involving said invalidations, opposition proceed	ntries. Such cooperation by said Inventors shall of petitions, oaths, specifications, declarations or other (a) for perfecting in said Assignee the right, title and cuting substitute, divisional, continuing or additional e of any said patents; (e) for interference or other vention and any applications therefor and any patents dings, cancellation proceedings, priority contests, xpense incurred by said Inventors in providing such						
representatives, and shall be t	pinding upon said Inventors, their re	spective heirs, legal represe	•						
4. Said Inventors here contract, or understanding in		d represent that they have no	ot entered and will not enter into any assignment,						
IN WITNESS WHEREOF, sa	aid Inventors have executed and del	ivered this instrument to sai	d Assignee as of the dates written below:						
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Surcharge 65 □ Drawings Assignment Recordation Fee 4.0 Missing Parts of Application
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